

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**This filing relates to the
Commonwealth and ERS.**

**REPLY OF THE COMMONWEALTH OF PUERTO RICO TO THE OPPOSITION TO
DEBTOR'S OMNIBUS OBJECTION "FIVE HUNDRED TWENTY-SIX" [ECF NO.
22624] TO THE FIVE HUNDRED TWENTY-SIXTH OMNIBUS OBJECTION
(SUBSTANTIVE)**

To the Honorable United States District Judge Laura Taylor Swain:

The Commonwealth of Puerto Rico (the "Commonwealth") and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS," and together with the Commonwealth, the "Debtors"), by and through the Financial Oversight and Management Board for Puerto Rico (the "Oversight Board"), as the sole Title III representative of the Debtors pursuant

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA," and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the "Debtors") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

to Section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² files this reply (the “Reply”) to the response [Case No. 17-BK-3283-LTS, ECF No. 22624]³ (the “Response”), filed on behalf of claimants Luz Valle Valdivieso and Minerva Rivera Garcia (the “Claimants”), to the *Five Hundred Twenty-Sixth Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Claims for which the Debtors Are Not Liable* [ECF No. 22259] (the “Five Hundred Twenty-Sixth Omnibus Objection”). In support of this Reply, the Debtors respectfully represent as follows:

1. Pursuant to the Five Hundred Twenty-Sixth Omnibus Objection, the Debtors objected to various claims purporting to assert liabilities associated with the litigation captioned *Nilda Agosto Maldonado et al. v. Commonwealth of Puerto Rico Family Department et al.*, Civil No. KPE 2005-0608 (the “Agosto Maldonado Litigation”). As noted therein, the Agosto Maldonado Master Claim attaches a chart identifying all applicable plaintiffs in the Agosto Maldonado Litigation, and Luz Valle Valdivieso is not a named plaintiff.

2. In their Response, Claimants assert that their name is “included in the judgment entered in the case of Nilda Agosto Maldonado, enclosed to this Motion as Exhibit 1.” Response, ¶ 5. However, neither the aforementioned chart nor the chart attached to the Response, includes Luz Valle Valdivieso’s name and Luz Valle Valdivieso has not identified any page number or any other location whereby such name can be located. As such, the Debtors maintain that the Five

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

³ Unless otherwise stated herein, ECF citations refer to documents filed in Bankruptcy Case No. 17-BK-3283-LTS.

Hundred Twenty-Sixth Omnibus Objection should be sustained as it relates to Luz Valle Valdivieso's claim.

3. The Response also asserts that the Five Hundred Twenty-Sixth Omnibus Objection, as to claimant Minerva Rivera Garcia, is no longer applicable following the filing of their *Motion for Leave to Amend Proof of Claim K[r]oll Number 32127* [ECF No. 22624] (the "Motion for Leave"), requesting leave to correct Minerva Rivera Garcia's name to "Myrna Rivera Garcia." The Oversight Board does not object to the Motion for Leave, as Myrna Rivera Garcia is named in the aforementioned chart. However, to the extent the Court denies the Motion for Leave, the Debtors' objection as to Minerva Rivera Garcia remains valid and should be sustained.

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Dated: October 26, 2022
San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer

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